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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL CATALDO,  
 JULIAN SANTIAGO, and SUSAN LYNN  
 HARVEY individually and on behalf of all  
 other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 3:20-cv-04688-RS

**DECLARATION OF MARK MAO IN  
 SUPPORT OF PLAINTIFFS' MOTION  
 FOR CLASS CERTIFICATION AND  
 APPOINTMENT OF CLASS  
 REPRESENTATIVES AND CLASS  
 COUNSEL**

Judge: Hon. Richard Seeborg  
 Courtroom 3 – 17th Floor  
 Date: October 5, 2023  
 Time: 1:30 p.m.

**DECLARATION OF MARK MAO**

I, Mark Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs’ motion for class certification and appointment of class representatives and class counsel.

3. Attached hereto as **Exhibit 1** is a true and correct copy of an excerpt from a document Google produced in discovery labeled GOOG-RDGZ-00117318.

4. Attached hereto as **Exhibit 2** is a true and correct copy of an excerpt from a document Google produced in discovery labeled GOOG-RDGZ-00209974.

5. Attached hereto as **Exhibit 3** is a true and correct copy of Google’s “Find & control your Web & App Activity” page (the WAA Help Page).

6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the deposition transcript of Google’s Senior Director of Product Management Eric Miraglia, taken October 25, 2022.

7. Attached hereto as **Exhibit 5** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00144760.

8. Attached hereto as **Exhibit 6** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00130745.

9. Attached hereto as **Exhibit 7** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00024709.

10. Attached hereto as **Exhibit 8** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00130322.

11. Attached hereto as **Exhibit 9** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00039094.

1           12. Attached hereto as **Exhibit 10** is a true and correct copy of a document Google  
2 produced in discovery labeled GOOG-RDGZ-00161364.

3           13. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from the  
4 deposition transcript of Google's Project Manager David Monsees, taken September 15, 2022.

5           14. Attached hereto as **Exhibit 12** is a true and correct copy of Google's "Use pay for  
6 conversions in Display campaigns" page.

7           15. Attached hereto as **Exhibit 13** is a true and correct copy of excerpts from the  
8 deposition transcript of Plaintiffs' expert Jonathan Hochman, taken June 26, 2023.

9           16. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts from the  
10 deposition transcript of Google's Director of Product Management, App Ads, Belinda Langner,  
11 taken December 15, 2022.

12           17. Attached hereto as **Exhibit 15** is a true and correct copy of a document Google  
13 produced in discovery labeled GOOG-RDGZ-00052784.

14           18. Attached hereto as **Exhibit 16** is a true and correct copy of excerpts from the  
15 deposition transcript of Google's former Product Manager Edward Weng, taken September 23,  
16 2022.

17           19. Attached hereto as **Exhibit 17** is a true and correct copy of a correspondence from  
18 Google's counsel in this case dated April 23, 2021.

19           20. Attached hereto as **Exhibit 18** is a true and correct copy of Google's "Activity  
20 Controls" page.

21           21. Attached hereto as **Exhibit 19** is a true and correct copy of correspondences  
22 between counsel for Plaintiffs and Google in this case dated November 8, 2022.

23           22. Attached hereto as **Exhibit 20** is a true and correct copy of a document Google  
24 produced in discovery labeled GOOG-RDGZ-00208190.

25           23. Attached hereto as **Exhibit 21** is a true and correct copy of excerpts from Google's  
26 Second Supplemental Responses and Objections to Plaintiffs' Interrogatories, Set Three, dated  
27  
28

1 April 28, 2023, as well as true and correct copies of various bates-stamped versions of the WAA  
2 Help Page, which are referenced in the Interrogatory Response.

3 24. Attached hereto as **Exhibit 22** is a true and correct copy of Google's Privacy Policy  
4 effective May 25, 2018.

5 25. Attached hereto as **Exhibit 23** is a true and correct copy of Google's Privacy Policy  
6 effective January 22, 2019.

7 26. Attached hereto as **Exhibit 24** is a true and correct copy of Google's Privacy Policy  
8 effective October 15, 2019.

9 27. Attached hereto as **Exhibit 25** is a true and correct copy of Google's Privacy Policy  
10 effective December 19, 2019.

11 28. Attached hereto as **Exhibit 26** is a true and correct copy of Google's Privacy Policy  
12 effective March 31, 2020.

13 29. Attached hereto as **Exhibit 27** is a true and correct copy of Google's Privacy Policy  
14 effective July 1, 2020.

15 30. Attached hereto as **Exhibit 28** is a true and correct copy of Google's Privacy Policy  
16 effective August 28, 2020.

17 31. Attached hereto as **Exhibit 29** is a true and correct copy of Google's Privacy Policy  
18 effective September 30, 2020.

19 32. Attached hereto as **Exhibit 30** is a true and correct copy of Google's Privacy Policy  
20 effective February 4, 2021.

21 33. Attached hereto as **Exhibit 31** is a true and correct copy of Google's Privacy Policy  
22 effective July 1, 2021.

23 34. Attached hereto as **Exhibit 32** is a true and correct copy of Google's Privacy Policy  
24 effective February 10, 2022.

25 35. Attached hereto as **Exhibit 33** is a true and correct copy of Google's Privacy Policy  
26 effective October 4, 2022.

1           36. Attached hereto as **Exhibit 34** is a true and correct copy of Google's Privacy Policy  
2 effective December 15, 2022.

3           37. Attached hereto as **Exhibit 35** is a true and correct copy of Google's Privacy Policy  
4 effective July 1, 2023.

5           38. Attached hereto as **Exhibit 36** is a true and correct copy of Google's Privacy Policy  
6 effective June 28, 2016.

7           39. Attached hereto as **Exhibit 37** is a true and correct copy of Google's Privacy Policy  
8 effective August 29, 2016.

9           40. Attached hereto as **Exhibit 38** is a true and correct copy of Google's Privacy Policy  
10 effective March 1, 2017.

11           41. Attached hereto as **Exhibit 39** is a true and correct copy of Google's Privacy Policy  
12 effective April 17, 2017.

13           42. Attached hereto as **Exhibit 40** is a true and correct copy of Google's Privacy Policy  
14 effective October 2, 2017.

15           43. Attached hereto as **Exhibit 41** is a true and correct copy of Google's Privacy Policy  
16 effective December 18, 2017.

17           44. Attached hereto as **Exhibit 42** is a true and correct copy of a document Google  
18 produced in discovery labeled GOOG-RDGZ-00151992.

19           45. Attached hereto as **Exhibit 43** is a true and correct copy of Google's Supplemental  
20 Objections and Responses to Plaintiffs' Interrogatory No. 14, Set Six, dated March 30, 2023.

21           46. Attached hereto as **Exhibit 44** is a true and correct copy of Google's "About  
22 Google" webpage, which is publicly available at about.google (last visited July 20, 2023).

23           47. Attached hereto as **Exhibit 45** is a true and correct copy of a document Google  
24 produced in discovery labeled GOOG-RDGZ-00000923 (April 14, 2014 Terms of Service).

25           48. Attached hereto as **Exhibit 46** is a true and correct copy of a document Google  
26 produced in discovery labeled GOOG-RDGZ-00000929 (October 25, 2017 Terms of Service).

1           49. Attached hereto as **Exhibit 47** is a true and correct copy of a document Google  
2 produced in discovery labeled GOOG-RDGZ-00000935 (March 31, 2020 Terms of Service).

3           50. Attached hereto as **Exhibit 48** is a true and correct copy of a document Google  
4 produced in discovery labeled GOOG-RDGZ-00188592 (January 5, 2022 Terms of Service).

5           51. Attached hereto as **Exhibit 49** is a true and correct copy of a correspondence from  
6 Google's counsel in this case dated January 27, 2021.

7           52. Attached hereto as **Exhibit 50** is a true and correct copy of a correspondence from  
8 Google's counsel in this case dated December 31, 2020.

9           53. Attached hereto as **Exhibit 51** is a true and correct copy of a correspondence from  
10 Google's counsel in this case dated February 12, 2021.

11           54. Attached hereto as **Exhibit 52** is a true and correct copy of the written testimony of  
12 Sundar Pichai, CEO of Alphabet Inc. before the House Committee on the Judiciary, Subcommittee  
13 on Antitrust, Commercial, and Administrative Law, Hearing on "Online Platforms and Market  
14 Power, Part 6: Examining the Dominance of Amazon, Apple, Facebook, and Google" provided on  
15 July 29, 2020.

16           55. Attached hereto as **Exhibit 53** is a true and correct copy of a Google article titled  
17 "Keeping your personal information private and safe—and putting you in control" authored by  
18 Guemmy Kim, Google Product Manager, on June 1, 2015. This article is publicly available at  
19 <https://blog.google.com/technology/safety-security/privacy-security-tools-improvements> (last  
20 accessed July 20, 2023).

21           56. Attached hereto as **Exhibit 54** is a true and correct copy of a document Google  
22 produced in discovery labeled GOOG-RDGZ-00090236.

23           57. Attached hereto as **Exhibit 55** is a true and correct copy of a document Google  
24 produced in discovery labeled GOOG-RDGZ-00043294.R.

25           58. Attached hereto as **Exhibit 56** is a true and correct copy of excerpts from the  
26 deposition transcript of Google's Rule 30(b)(6) designee and Group Product Manager for Google  
27 Analytics, Steve Ganem, taken October 28, 2022.

1           59. Attached hereto as **Exhibit 57** is a true and correct copy of a document Google  
2 produced in discovery labeled GOOG-RDGZ-00044356.

3           60. Attached hereto as **Exhibit 58** is a true and correct copy of a document Google  
4 produced in discovery labeled GOOG-RDGZ-00149701.

5           61. Attached hereto as **Exhibit 59** is a true and correct copy of a document Google  
6 produced in discovery labeled GOOG-RDGZ-00173562.

7           62. Attached hereto as **Exhibit 60** is a true and correct copy of excerpts from Google's  
8 Rebuttal Expert Report of John R. Black, dated May 31, 2023.

9           63. Attached hereto as **Exhibit 61** is a true and correct copy of a document Google  
10 produced in discovery labeled GOOG-RDGZ-00129084.

11           64. Attached hereto as **Exhibit 62** is a true and correct copy of a document Google  
12 produced in discovery labeled GOOG-RDGZ-00203679.

13           65. Attached hereto as **Exhibit 63** is a true and correct copy of excerpts from the  
14 deposition transcript of Google's Senior Staff Engineering Manager Chris Ruemmler, taken  
15 September 9, 2022.

16           66. Attached hereto as **Exhibit 64** is a true and correct copy of a document Google  
17 produced in discovery labeled GOOG-RDGZ-00001010.

18           67. Attached hereto as **Exhibit 65** is a true and correct copy of excerpts from a  
19 document Google produced in discovery labeled GOOG-RDGZ-00092072.

20           68. Attached hereto as **Exhibit 66** is a true and correct copy of excerpts from Google's  
21 Responses to Plaintiffs' Requests for Admission, Set Four, dated October 31, 2022.

22           69. Attached hereto as **Exhibit 67** is a true and correct copy of excerpts from Google's  
23 Fourth Supplemental Responses and Objections to Plaintiffs' Interrogatories, Set One, dated  
24 November 5, 2021.

25           70. Attached hereto as **Exhibit 68** is a true and correct copy of a document Google  
26 produced in discovery labeled GOOG-RDGZ-00129096.

